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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,813	12/31/2001	Michael F. Brenner	TI-30637	9073
23494	7590	07/01/2004	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			TRINH, HOA B	
			ART UNIT	PAPER NUMBER
			2814	

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/038,813	Applicant(s) MILLER ET AL.	
	Examiner Vikki H Trinh	Art Unit 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0604</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1- 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Peterson et al. (6,335,224).

As to claims 1, 19-23, a method of fabricating a micromechanical structure, the method comprising fabricating at least two micromechanical structures 24 on a substrate 10; overcoating said micromechanical structures with a protective layer 14; overcoating said protective layer with a brittle layer (col. 8, lines 65-67) to protect the substrate 10 ; and sawing said brittle layer and said protective layer (col. 8, lines 55-60) to separate the devices (col. 8, lines 52-58). See fig. 2D.

As to claims 2-6, the fabricating comprising fabricating at least two micromechanical devices 24 on a semiconductor substrate 10. See fig. 2D.

As to claim 7, the overcoating with a protective layer 14 comprising overcoating with a plastic layer (col. 5, lines 23-35; col. 6, lines 50-60).

As to claims 8-9, the overcoating step with a protective layer 14 comprising overcoating with a PARYLENE layer. (col. 5, lines 23-35).

As to claim 10, the overcoating with a protective layer comprising overcoating

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with a acrylate monomer layer. (col. 5, lines 8-35).

As to claim 11, said overcoating with a protective layer 14 comprising overcoating with a acrylate oligomer layer. (col. 5, lines 6-40).

As to claim 12, said overcoating with a protective layer comprising applying a protective overcoat by vapor deposition. See col. 5, lines 20-30.

As to claim 13, said overcoating with a protective layer 14 comprising applying a protective overcoat by immersing said substrate in a liquid protective overcoat material. See col. 7, lines 15-30.

As to claim 14, said overcoating with a protective layer comprising applying a protective overcoat by spinning-on a protective overcoat layer. See col. 8, lines 26-40.

As to claim 15, 18, the step includes thermally curing said protective layer 14. See col. 6, lines 9-15.

As to claim 16, 19, curing the protective layer 14 using ultraviolet light. See col. 6, lines 1-15.

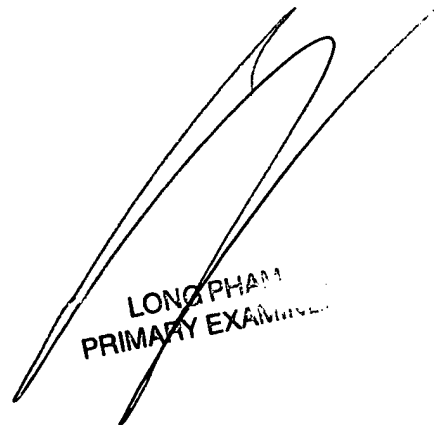
As to claim 17, said overcoating with a brittle layer comprising overcoating with a photoresist layer 26. See col. 8, lines 1-5.

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Conclusion

1. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Vikki Trinh whose telephone number is (571) 272-1719. The Examiner can normally be reached Mon-Tuesday, Thurs-Friday, 7:30 AM - 6:00 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Wael Fahmy, can be reached at (571) 272-1705.

Vikki Trinh,
Patent Examiner
AU 2814



LONG PHAM
PRIMARY EXAMINER